



# TOWN OF ERIE NEWS FLASH

## Board of Trustees Action Items

For more information contact:

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Posted on: August 26, 2015

## Erie Board of Trustees Action Items August 25, 2015



**Board Approves New Oil & Gas Operator Agreement with Encana** – During Tuesday night's meeting, the Board passed a resolution approving a new Operator Agreement with Encana Oil & Gas USA, Inc. The new Operator Agreement replaces the previous Memorandum of Understanding adopted by the Board in August of 2012 and which was set to expire later this month. The Operator Agreement includes 18 Best Management Practices (BMPs) to supplement existing state requirements that include the following categories:

- **Distance to Erie Building Units** - minimum of 1,000 feet to identified well pads
- **Noise Mitigation** - reduced at least five decibels below the maximum level permitted by COGCC regulations
- **Central Hub** - Encana intends to construct a central gathering and storage facility to reduce air emissions.
- **Well Leak Detection and Repair** - Encana will perform audio, visual and olfactory inspections on a monthly basis.
- **Contact Information** - Required on both mailed and the posted notice
- **Steel-Rim Berms** - contain fluids and other material instead of sand or soil berms.
- **Closed-Loop Systems** - For drilling and completion operations.
- **Lighting** - down cast lighting that mitigates light pollution and spill-over onto adjacent properties.
- **Class II Underground Injection Control Wells** - Not to be developed within Operator Agreement Area.
- **Recycling and Reuse** - Encana will recycle and reuse water at the pad sites.
- **Town Water Supply** - To reduce truck traffic, use of nearby water resources will be encouraged.
- **Traffic** - Encana will implement the Traffic Management Plan.
- **Road Repairs** - Encana shall maintain Financial Assurance to secure its road repair obligations.
- **Access Roads** - Improved from a minimum distance of two hundred feet from street connection.
- **Fencing** - Fenced as specified by the then current requirements.
- **Operations Conducted in Accordance with Plans** - As discussed during the Conceptual Review Process.
- **Hydraulic Fracturing Responsible Products Program**
- **Revision of BMPs** - Parties may revise one or more of these BMPs if they mutually agree.



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[View Resolution 15-98 and Operator Agreement](#)

### **Board Considers Oil & Gas Regulation Amendments to Unified Development Code on First Reading**

– During Tuesday night's meeting the Board of Trustees considered Ordinance 21-2015 which includes adopting amendments to the Town's Unified Development Code (UDC) to accommodate new oil and gas regulations. The Board will consider the ordinance on Second Reading during their September 8th meeting.

BACKGROUND: Per Board of Trustees direction, the Town's Special Counsel, Barbara Green of Sullivan Green Seavy, presented an amendment to Title 10 of the Town of Erie Municipal Code also known as the Unified Development Code or UDC. According to Ms. Green, the proposed regulations provide three ways for the Town to regulate Oil and Gas Operations:

1. Type A Permit (approval by Planning Commission)
2. Type B Permit (recommendation by Planning Commission and decision by Board of Trustees)
3. Operator Agreement approved by Board of Trustees

### PERMIT PROCESS FOR NEW OIL AND GAS DEVELOPMENT

**Type A Permit** – Eligible for Type A Permit if operator agrees to more stringent requirements including 1,000 foot setbacks, closed loop system, noise control, air quality control, water reuse, use of Town water, no underground injection wells.

- Pre-application conference
- Submittal of application
- Neighborhood meeting
- Mailed public notice of Planning Commission meeting
- Posted notice
- Review by staff and referral agencies
- Review and decision by Planning Commission at regular meeting
- Discretionary reconsideration of Planning Commission decision by Board of Trustees

### **Type B Permit**

- Pre-application conference
- Submittal of application
- Neighborhood meeting
- Mailed public notice
- Posted public notice
- Review by staff and referral agencies
- Public hearing by Planning Commission and recommendation
- Public hearing by Board of Trustees and decision

[View Ordinance 21-2015 and UDC Amendments](#)



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View complete August 25, 2015 Board of Trustees Meeting Packet [here](#).

**Engage Erie** – View the most recent activity on the Town’s new social engagement site, [Engage Erie](#).

**Upcoming Board of Trustees Meetings** – The next regularly scheduled [Board of Trustees](#) meeting will be on Tuesday, September 8, 2015 at 6:30 p.m. All meetings are held in the [Town Hall boardroom](#) located at 645 Holbrook Street in Erie.

**More Information** – Board of Trustees Action Items are brief summaries of some, but not all, agenda items and do not serve as the official meeting minutes. Select this link to view archived Board of Trustees meeting online via the [On Demand Video](#) service. To request approved meeting minutes of Board of Trustees meetings, please contact the Town Clerk’s Office at [nparker@erieco.gov](mailto:nparker@erieco.gov).